



Patent  
Attorney Docket: 032,290-068  
(END 5450USNP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**Marion et al.**

**Serial No.: 10/714,126**

Filed: November 13, 2003

For: DEVICES AND METHODS FOR  
CONTROLLING INITIAL MOVEMENT OF  
AN ELECTROSURGICAL ELECTRODE

Group Art Unit: 3739

Examiner: Alex B. Toy

**AMENDMENT AND RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 7, 2005, please amend the subject application as follows.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 4 of this paper.

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

December 7, 2005  
Date of Deposit  
NB1:670340.1

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